

REMARKS

The above-identified patent application has been amended and Applicants respectfully request the Examiner to reconsider and again examine the claims.

Applicants have filed herewith a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 and Applicants respectfully request that this Amendment be entered in accordance with the provisions of 37 C.F.R. §1.114. Applicants specifically request that the Preliminary Amendment filed on January 12, 2004 not be entered.

In accordance with the revised provisions of 37 C.F.R. §1.121(c) as enacted on July 30, 2003, a marked up version of the amended claims is provided above.

The Examiner rejects Claims 1-5 under 35 U.S.C. §103(a) as being unpatentable over Hussein et al (IEEE article describing the CAIRO system herein after 1995 Hussein ) in view of Kelly et al (IEEE article entitled: "A Facilitator's General Model for Managing Socio-Emotional Issues in Group Support Systems Meeting Environments," herein after Kelly).

The Examiner asserts that 1995 Hussein discloses a collaboration agent and synchronization system which is a conferencing system and which includes a plurality of participants.

The Examiner equates the moderators described in 1995 Hussein to the facilitator agents recited in claim 1 of the instant application. The Examiner concedes that 1995 Hussein does not describe social agents. The Examiner, however, relies upon Kelly as teaching a plurality of social agents. The Examiner asserts that Kelly describes the role of social agents in a GSS environment. The Examiner concludes that it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the roll of the social agent described in Kelly with the system described in Hussein because the Kelly social agents described in Kelly

manage social issues in the CAIRO system meeting environment. Applicants respectfully disagree with the Examiner's analysis.

As an initial matter, the Examiner equates the moderator describe in the 1995 Hussein paper to the facilitator agents recited in Applicants' claim 1. Claim 1 clearly calls for each of a plurality of participants to have an associated facilitator agent.

Section 3.1 and Figures 1 and 4.1 of 1995 Hussein, however, make clear that there is not a single moderator for each participant. Furthermore, the moderator in the 1995 Hussein article corresponds to a forum moderator. Thus, each forum in 1995 Hussein has its own moderator to maintain a conference among a plurality of individuals.

In stark contrast, as recited in Claim, 1, each participant in a conference has their own facilitator agent. Moreover, the functions of the 1995 Hussein moderator and the claims facilitator agent are different. Thus, even if 1995 Hussein disclosed a moderator for each participant, the result would still not be Applicants system as recited in Claim 1.

Claim 1 specifies that each of said facilitator agent includes means for monitoring communication of a participant in the conferencing system... means for comparing the communication of the participant to a predetermined set of communication passages ... and means for providing a prompt to a participant in the conferencing system in response to the means for comparing finding a match between the communication of a participant and one of the predetermined set of communication passages as called for in Claim 1.

1995 Hussein does not describe any agent which includes means for monitoring communication of a participant in the conferencing system... means for comparing the communication of the participant to a predetermined set of communication passages ... and means for providing a prompt to a participant in the conferencing system in response to the means for comparing finding a match between the communication of a participant and one of the predetermined set of communication passages as called for in Claim 1

Kelly discusses Same time/Same place meetings that are supported by conventional technology in a classic GSS system. In particular, Kelly discusses empirical observations of human facilitators supported by conventional technology in a same place meeting environment.

Thus, neither 1995 Hussein nor Kelly describe or suggest a facilitator agent as recited in Claim 1.

The Examiner has taken the position that Kelly describes social agents which include means for monitoring relevant components of a design environment and suggesting appropriate actions to be taken by a participant. After reviewing Kelly, however, it is clear that the Examiner's position is not supported by the Kelly reference itself. Kelly is concerned with face-to-face meeting environments with human facilitators. Kelly is not concerned with providing social agents for each participant with each social agent including means for monitoring relevant components of a design environment and suggesting appropriate actions to be taken by a participant as called for in claim 1.

Applicants submit that the Examiner has improperly used hindsight and imported the teachings of the patent application into the Kelly reference to assert that Kelly discloses the claimed social agents..

Nevertheless, assuming arguendo that Kelly does describe the social agents as claimed by Applicants, the combination of 1995 Hussein and Kelly still does not render claims 1-5 obvious since neither Kelly nor 1995 Hussein describe the facilitator agents called for in Claim 1.

As the Examiner is aware, and as found in MPEP §2142, in order to establish a prima facie case of obviousness "...there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings." Applicants respectfully submit that the Examiner has not met this burden in order to establish prima facie obviousness.

In view of the above, Applicants submit that Claims 1-5 are patentably distinct over the cited references whether taken alone or in combination, since the cited references neither describe nor suggest a "...conferencing system comprising ... a plurality of participants ... a like plurality of facilitator agents, each of said facilitator agents associated with a corresponding one of said plurality of participants ... and a ... plurality of social agents each of said social agents associated with a corresponding one of said plurality of participants ..." as required by each of Claims 1-5.

Accordingly, Applicants submit that Claims 1-5 are patentable over the combination of 1995 Hussein and Kelly.

Claims 7-20 and 22 have been amended to depend, either directly or indirectly, from Claim 1. Thus, Applicants submit that Claims 7-20 and 22 are allowable over the cited references of record in this case generally for the reasons discussed above in conjunction with Claim 1.

Applicants have added new dependent claim 52 to further recite features of the facilitator agent. Applicants submit that claim 52 is also patentably distinct over the cited reference.

In view of the above Remarks, Applicants submit that Claims 1-5, 7-20, 22 and 52 and the entire case are in condition for allowance and should be sent to issue and such action is respectfully requested.

The Examiner is respectfully invited to telephone the undersigning attorney if there are any questions regarding this Response or this application.

The Assistant Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 500845.

Dated: 4 OCT 04

Respectfully submitted,

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